

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

118854

FILE: B-207726

DATE: July 1, 1982

MATTER OF: Rockwell International

DIGEST:

Protest filed with GAO more than 10 days after the protester receives notice of adverse agency action on protest initially filed with agency is untimely and will not be considered.

Rockwell International protests the Department of the Interior's proposed award of a contract on a sole source basis to another bidder under RFP YA-553-RFP2-9. We dismiss the protest as untimely.

On April 16, 1982, Rockwell protested the award to Interior. Interior responded by letter of May 13, 1982, which Rockwell says "in effect denied our protest." Rockwell received that letter on May 17, and subsequently sent a protest letter to our Office which we received on June 2, 1982.

Section 21.2(a) of our Bid Protest Procedures, 4 C.F.R. § 21.2(a) (1982), requires that when a protest is filed initially with the contracting agency, a protest to this Office must be filed within 10 days of the protester's knowledge of adverse action on the protest. Because Rockwell's protest was not filed here until June 2, which is more than 10 days after May 17, when it received notice of adverse agency action, it is untimely. See Ronald L. Cain, M.D., B-206436, March 12, 1982, 82-1 CPD 232.

The protest is dismissed.

Harry R. Van Cleve
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Acting General Counsel